

IN THE SPECIFICATION

At page 2, please amend the paragraph beginning on line 13 as follows:

Sometimes it would be desirable for a user to be able to select the attainability status of his mobile terminal device, in accordance with the available communication channels. Presently, the Short Messages (SMs) are sent to the terminal device anyway, and there is presently no way, e.g. in the European Telecommunication Standard Institute (ETSI) specifications, for the user to reject the reception of certain ~~kind of~~kinds of messages.

At page 4, please amend the paragraph beginning on line 29 as follows:

By checking a service for the acceptance of a message by said mobile terminal device, the usually performed checking of the presence or the availability of said mobile terminal device may be economized. It is possible to reduce the signaling load to the SFE present in the network, as the whole data traffic for updating the presence service can be reduced. The updating of the presence service may even only be performed, if a message is ~~to be send~~to be sent or transmitted.

At page 6, please amend the paragraph beginning on line 37 through page 7 line 5 as follows:

Preferably, the SFE further comprises a component for checking availability information of a presence service for the acceptance of said message by said mobile phone. The SFE further comprises a component to perform a delivery attempt of said message to said mobile terminal device. ~~These both~~Both of these components enable the SFE to determine the acceptance to receive a certain message by said mobile terminal device.

At page 8, please amend the paragraphs beginning on line 17 through page 10, line 1 as follows:

Figure 1 is a flowchart of a successful delivery of a MMS in a communication network. In the first step a mobile terminal 2 transfers 22 a multimedia message (MM) to a communication network (CN) 6. The communication network 6 can be

one or more base transceiving systems, base stations, repeaters or service providers or any other relaying elements in the respective communication network. The message is transferred ~~from~~24A from the CN 6 to the Multimedia Message Service Center (MMSC) 12 (in the role of said SFE) in the presence messaging and group services system 10 (Presence Messaging and Group System). This describes that the mobile terminal 2 submits a message to the store and forward entity 12. The presence messaging and group services system 10 is depicted to indicate that the method is not restricted to a single communication network, but can be applied to communication network clusters, of different communication networks connected via gateways such as e.g. personal mobile gateways, too. Then a message delivery is attempted.

The MMSC 12 directly ~~transfer~~transfers ~~26~~ the message back to the CN 6, after requesting availability information from the presence service 14. The presence service 14 can be incorporated in a presence server, or may be incorporated in the MMSC 12 in the network. The CN 6 in turn transfers ~~46~~ the message to the mobile station 4. The mobile station 4 returns ~~50, 24~~a24B a confirmation about the successful delivery of said message to the MMSC 12 via the CN 6. A normal message delivery identifies the problem area: If the mobile station 4 is not available the message will fail, the MMSC 12 must therefore subscribe to every user/mobile station presence information from a presence service 14, before attempting a delivery (not shown). In reality this means even, if the MMSC 12 is not delivering a message, it will still receive traffic relating to the presence of a user or a mobile station and hence the traffic load here may actually be more than that normally used to delivery messages.

Figure 2 is a flowchart of a failed delivery attempt of a MM in a communication network. The first steps of the method are basically the same as in figure 1. In the first step a mobile terminal 2 transfers ~~22~~ a multimedia message to a base station or CN 6. The message is transferred ~~24~~from~~24A from~~ the CN 6 to the MMSC 12 in the presence messaging and group services system 10. The MMSC 12 directly transfers ~~26~~ the message back to the CN 6, which in turn tries to transfer the message to the mobile station 4. The message delivery will sometimes fail and at this point the MMSC 12 (in the role of the SFE) contacts the presence server to subscribe to the messaging presence information. The transfer of the message fails, and the CN 6 returns “failed delivery” response 32 back to the MMSC 12.

Following that, the MMSC 12 will ~~request~~request 34 to be informed of a notification ~~34~~ to the presence service 14 regarding the availability of said mobile station 4. The presence service 14 returns a confirmation 36 of said change in the availability status back to the MMSC 12. The MMSC 12 waits for a notification about a change in the availability status of the mobile station 4 in the presence service 14.

At some point in the future, the receiving MS of the message will perform an update about its messaging presence information: If the mobile station 4 changes its availability status, it notifies 38, 40 the presence service 14 about the change in the availability status, via the CN 6. When notified, the presence service 14 notifies 42 the MMSC 12 of the change. The presence server will then notify the MMSC 12 (per subscription, the MMSC 12 does not receive ALL the presence information changes, but only this particular MS 4 in this case). The MMSC 12 starts a further delivery attempt 44, 46 of the message to the mobile station 4 via the CN 6. The MMSC 12 will attempt message delivery, which should succeed knowing the MS 4 is present. As in figure 1, the mobile station 4 returns ~~50~~50, 24B a confirmation about the successful delivery of said message to the MMSC 12 via the CN 6. The notification of the change can also be transferred from the mobile station 4 to the presence service 14 via the MMS 12. It is also optional at this point that the MMSC 12 unsubscribes to the presence information, because the MMSC 12 does not want to receive any further message presence notifications of MS 4.

At page 10, please amend the paragraph beginning on line 23 as follows:

Because of the subscription to the presence information, ~~it is not~~it is no longer necessary to perform the delivery attempts all the time. The delivery attempts are only performed when a notification from the presence server is received. So the number of delivery attempts are reduced and hence the traffic is reduced.